

From: jpavlo@ilm.com@inetgw
To: Microsoft ATR
Date: 1/26/02 4:58pm
Subject: Microsoft Settlement

To Whom it May Concern:

Pursuant to the Tunney Act, I am writing to comment on the proposed settlement of the United States vs. Microsoft antitrust case.

My background: I am a visual effects designer for film. I work at Industrial Light and Magic in San Rafael California using Silicon Graphics and Linux operating systems. Our company uses Windows and Macintosh operating systems as well. Each operating system used here has an important place in our production workflow.

I'll try and keep this brief and to the point...

Essentially, I'm totally against the weak settlement proposals and would like the Department of Justice to consider harsher punishment for Microsoft's crimes. I can't imagine that anybody believes the current "toothless" settlement proposals will have any effect on Microsoft's anti-competitive behavior. Even in light of the negative publicity from the trial, and the damning "findings of fact", Microsoft boldly continues to take over everything that's up for grabs (and some things that aren't!). In the several years since the trial began, we've seen Microsoft branching out into new markets and unfairly using their monopoly position to promote Xboxes, the PocketPC, MSNBC, Hotmail, WindowsXP, Windows Media Player, their ".net" strategy... the list goes on and on. I read the news that the US Navy is switching everything over to Microsoft Windows - something I find quite frightening! I also read last week that they just bought all of Silicon Graphics patents in 3D technology - This concerns me immensely, because of the industry that I'm in. They could use these to leverage power unfairly to squash competition in the film and television industry as well as the huge games industry.

It begs the question, why, when Microsoft is in the middle of an antitrust/monopoly trial, is Microsoft even allowed to buy up intellectual property and aggressively expand into new markets?

Please, reconsider the settlement proposal. They were found guilty of anticompetitive practices in 1995. They got a slap on the wrist and that didn't stop them continuing their illegal business practices that are the subject of the current trial. What makes you think that they'll pay the slightest bit of notice to the current proposals?

What should be done? I think they should be hit up with an enormous fine that is in proportion to their huge market cap and value of assets. I

think that this fine should not be trivial, it should hurt the company and make them afraid to transgress the law again. I also think that Microsoft should be split up. Clearly they have far too much influence and power for a company that has demonstrated again and again that they are unable to wield this power responsibly.

Essentially, I ask the Department of Justice for Justice.

Thank you,

Joe Pavlo

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